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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|------------------------|---------------------|------------------|
| 10/769,176  | 01/29/2004  | David Kammer           | 3195.PALM.PSLC      | 7805             |
| 49637 7590 05/21/2009<br>BERRY & ASSOCIATES P.C.<br>9255 SUNSET BOULEVARD<br>SUITE 810<br>LOS ANGELES, CA 90069 |             |                        |                     |                  |
| EXAMINER<br>MILORD, MARCEAU   |             |                        |                     |                  |
| ART UNIT<br>2618  |             | PAPER NUMBER           |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/769,176

**Applicant(s)**

KAMMER, DAVID

**Examiner**

Marceau Milord

**Art Unit**

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singhal et al (US Patent No 6633761 B1) in view of Spicer et al (US Patent No 7007093 B2).

Regarding claim 1, Singhal et al discloses a wireless device (120 of fig. 1) having a transceiver (such as cellular phones, PDAs; col. 3, lines 59-66), a method (fig. 1, fig. 4 and fig. 7) for providing a service record for a software application running on a virtual serial port in a wireless device (120 of fig. 1; col. 3, line 54- col. 4, line 24), said method comprising the steps of: executing (130 of fig. 1) said application, wherein said application is a legacy application operable to communicate with a peripheral device over a serial connection (fig. 1, fig. 4 and fig. 7; col. 6, line 52- col. 7, line 29; col. 9, lines 8-49; col. 10, lines 1-49); opening a virtual serial port for said application, wherein said virtual serial port is opened by a virtual serial port driver

and wherein said virtual serial port emulates said serial connection (col. 4, lines 29-61; col. 5, line 28- col. 6, line 12; col. 8, lines 4-64).

However, Singhal et al does not specifically disclose the steps of creating a service record corresponding to an application; and registering in said service record a service name identifying said application, wherein the service name is provided by a virtual serial port driver.

On the other hand, Spicer et al, from the same field of endeavor, discloses the steps of creating a service record corresponding to an application; and registering in said service record a service name identifying said application, wherein the service name is provided by a virtual serial port driver (col. 3, lines 40-66; col. 4, lines 5-67; col. 5, lines 4-67; col. 6, lines 7-67; col. 7, lines 12-64; col. 9, lines 6-67).

Spicer et al shows in figure 1, a resource registry that comprises a resource database, a driver database, and a user registration database (register service record). The resource database includes resource records identifying parameters associated with the network resources. Furthermore, each resource record (fig. 3) comprises a network address field, a resource type field, and a user access level field for the associated network resource. The network address field identifies the network address of the network resource. In addition, each resource record also includes a pseudo-name field, a user-name/password field and a network driver identifier field. The resource type field identifies the type of data communication device of the network resource (identifies as creating a service record corresponding to the application, registering in service record a service name identifying the application). For instance, the resource type field may specify that the network resource is a printer, an image server, a file server, an e-mail pager, or an e-mail enabled wireless telephone (col. 3, lines 40-66; col. 4, lines 5-67). The authorization

server is in communication with the resource database and the driver database for providing the network terminals with the resource drivers appropriate for the selected network resources. In addition, the authorization server is also configured to configure the driver application for communication with the selected network resource, by transmitting the network address of the selected network resource to the data transmitter layer over a communications channel secure from the user of the network terminal. The authorization server also extracts the resource driver identifier from the resource identifier field of the resource record, and determines whether the network terminal is still properly configured for communication with the network resource. In addition, the administration server queries the registration database to determine whether the user of the network terminal registered with the network resource control system (col. 7, lines 12-64; col. 9, lines 6-67). The application communication layer passes the application data received from the application software to the resource driver for translation into a format suitable for processing by the selected network resource (means that : service name is provided to the virtual serial port driver; col. 5, lines 4-67; col. 6, lines 7-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Spicer to the communication system of Singhal in order to provide a network resource control system for providing a resource registry including resource records associated with the network resources.

Regarding claim 2, Singhal et al as modified discloses a method (fig. 1, fig. 4 and fig. 7) for providing a service record for an application running on a virtual serial port in a wireless device (120 of fig. 1; col. 3, line 54- col. 4, line 24), wherein said wireless device (120 of fig. 1) is a Bluetooth-enabled device (col. 3, line 59- col. 4, line 24).

Regarding claim 3, Singhal et al as modified discloses a method (fig. 1, fig. 4 and fig. 7) for providing a service record for an application running on a virtual serial port in a wireless device (120 of fig. 1; col. 3, line 54- col. 4, line 24), wherein said service record is a Service Discovery Protocol service record (col. 4, lines 29-61; col. 5, lines 28-61).

Regarding claim 4, Singhal et al as modified discloses a method (fig. 1, fig. 4 and fig. 7) for providing a service record for an application running on a virtual serial port in a wireless device (120 of fig. 1; col. 3, line 54- col. 4, line 24), wherein said virtual serial port driver is substantially compliant with the RFCOMM protocol and comprises a port emulation entity (col. 8, lines 49-65; col. 9, lines 3-49).

Regarding claim 5, Singhal et al as modified discloses a method (fig. 1, fig. 4 and fig. 7) for providing a service record for an application running on a virtual serial port in a wireless device (120 of fig. 1; col. 3, line 54- col. 4, line 24), comprising the step of: selecting a RFCOMM channel number for said virtual serial port (col. 8, lines 49-65; col. 9, line 8-col. 10, line 34).

Regarding claim 6, Singhal et al as modified discloses a method (fig. 1, fig. 4 and fig. 7) for providing a service record for an application running on a virtual serial port in a wireless device (120 of fig. 1; col. 3, line 54- col. 4, line 24), comprising the step of: including said RFCOMM channel number in said service name (col. 8, lines 49-65; col. 4, line 31- col. 5, line 22).

Regarding claim 7, Singhal et al as modified discloses a method (fig. 1, fig. 4 and fig. 7) for providing a service record for an application running on a virtual serial port in a wireless

device (120 of fig. 1; col. 3, line 54- col. 4, line 24), comprising the step of: deriving said service name from a name for said application (col. 4, line 31- col. 5, line 22).

Regarding claim 8, Singhal et al as modified discloses a method (fig. 1, fig. 4 and fig. 7) for providing a service record for an application running on a virtual serial port in a wireless device (120 of fig. 1; col. 3, line 54- col. 4, line 24), comprising the step of: using a default name for said service name (col. 5, line 28- col. 6, line 18; col. 6, line 52- col. 7, line 27).

Regarding claim 9, Singhal et al discloses a wireless device (120 of fig. 1) comprising: a bus; a wireless transceiver unit (fig. 1, such as cellular phones, PDAs; col. 3, lines 59-66), coupled to said bus and for communicating with other wireless devices (120 of fig. 1); a processor coupled to said bus; and a memory unit coupled to said bus and comprising processor instructions for performing a method for providing a service record for a software application running on a virtual serial port (fig. 1; col. 3, line 54- col. 4, line 24; col. 5, lines 33-61), said method comprising the steps of: executing (130 of fig. 1) said application, wherein said application is a legacy application operable to communicate with a peripheral device over a serial connector (col. 6, line 52- col. 7, line 29; col. 9, lines 8-49; col. 10, lines 1-49); opening a virtual serial port for said application, wherein said virtual serial port is opened by a virtual serial port driver and wherein said virtual serial port emulates said serial connector (col. 4, lines 29-61; col. 5, line 28- col. 6, line 12; col. 8, lines 4-43).

However, Singhal et al does not specifically disclose the steps of creating a service record corresponding to an application; and registering in said service record a service name identifying said application, wherein the service name is provided by a virtual serial port driver.

On the other hand, Spicer et al, from the same field of endeavor, discloses the steps of creating a service record corresponding to an application; and registering in said service record a service name identifying said application, wherein the service name is provided by a virtual serial port driver (col. 3, lines 40-66; col. 4, lines 5-67; col. 5, lines 4-67; col. 6, lines 7-67; col. 7, lines 12-64; col. 9, lines 6-67).

Spicer et al shows in figure 1, a resource registry that comprises a resource database, a driver database, and a user registration database (register service record). The resource database includes resource records identifying parameters associated with the network resources. Furthermore, each resource record (fig. 3) comprises a network address field, a resource type field, and a user access level field for the associated network resource. The network address field identifies the network address of the network resource. In addition, each resource record also includes a pseudo-name field, a user-name/password field and a network driver identifier field. The resource type field identifies the type of data communication device of the network resource (identifies as creating a service record corresponding to the application, registering in service record a service name identifying the application). For instance, the resource type field may specify that the network resource is a printer, an image server, a file server, an e-mail pager, or an e-mail enabled wireless telephone (col. 3, lines 40-66; col. 4, lines 5-67). The authorization server is in communication with the resource database and the driver database for providing the network terminals with the resource drivers appropriate for the selected network resources. In addition, the authorization server is also configured to configure the driver application for communication with the selected network resource, by transmitting the network address of the selected network resource to the data transmitter layer over a communications channel secure



from the user of the network terminal. The authorization server also extracts the resource driver identifier from the resource identifier field of the resource record, and determines whether the network terminal is still properly configured for communication with the network resource. In addition, the administration server queries the registration database to determine whether the user of the network terminal registered with the network resource control system (col. 7, lines 12-64; col. 9, lines 6-67). The application communication layer passes the application data received from the application software to the resource driver for translation into a format suitable for processing by the selected network resource (means that : service name is provided to the virtual serial port driver; col. 5, lines 4-67; col. 6, lines 7-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Spicer to the communication system of Singhal in order to provide a network resource control system for providing a resource registry including resource records associated with the network resources.

Regarding claim 10, Singhal et al as modified discloses a wireless device comprising: a bus, wherein said wireless device and said other wireless devices are Bluetooth-enabled devices (col. 3, line 59- col. 4, line 24).

Regarding claim 11, Singhal et al as modified discloses a wireless device comprising: a bus, wherein said service record is a Service Discovery Protocol service record (col. 4, lines 29-61; col. 5, lines 28-61).

Regarding claim 12, Singhal et al as modified discloses a wireless device (120 of fig. 1) comprising: a bus, wherein said virtual serial port driver is substantially compliant with the RFCOMM protocol and comprises a port emulation entity (col. 8, lines 49-65; col. 9, lines 3-49).

Regarding claim 13, Singhal et al as modified discloses a wireless device comprising the step of: selecting a RFCOMM channel number for said virtual serial port (col. 8, lines 49-65; col. 9, line 8-col. 10, line 34).

Regarding claim 14, Singhal et al as modified discloses a wireless device (120 of fig. 1) comprising: a bus; wherein said service name comprises said RFCOMM channel number (col. 8, lines 49-65; col. 9, line 8-col. 10, line 34).

Regarding claim 15, Singhal et al as modified discloses a wireless device (120 of fig. 1) comprising: a bus, wherein said service name is derived from a name for said application (col. 4, line 31- col. 5, line 22).

Regarding claim 16, Singhal et al as modified discloses a wireless device (120 of fig. 1) comprising: a bus, wherein said service name is a default name (col. 5, line 28- col. 6, line 18; col. 6, line 52- col. 7, line 27).

#### Response to Arguments

3. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Marceau Milord/

Primary Examiner, Art Unit 2618

Marceau Milord

Primary Examiner

Art Unit 2618